

8 What counts as rape?

Physical assault and broken contracts:
contrasting views of rape among London sex
workers

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INTRODUCTION

Talk of sexual violence is topical. Harassment at work is mentioned alongside marital rape and the abuse of children. Rape, the topic of this chapter, is generally seen as a moral as well as a physical assault, particularly by feminist scholars advocating legal change. Thus:

We are saying that our rape laws should reflect the perspective of women – the victims of rape. They experience rape as an *assault*, as an *unprovoked attack on their physical person and as a transgression of their assumed right to the exclusive ownership and control of their own bodies* . . .

(Clark and Lewis 1977: 166–7)

The law reform commission of Canada reads:

The concept of sexual assault more appropriately characterizes the actual nature of the offence of rape because the primary focus is on the assault or the *violation of the integrity of the person* rather than the sexual intercourse.

(Law Reform Commission of Canada, Sexual Offences, p.16, quoted in Temkin 1986) [my emphasis]

Rape is commonly understood to refer to non-consensual sex and, more narrowly, non-consensual intercourse. At the same time, the nature of this lack of consensus is disputed. Prostitute women in London operate a definition of rape at work which is much broader than the majority view and broader, too, than their own view of rape outside work. These two kinds of rape have different effects on a prostitute's person.

Prostitute women in London distinguish working sex from personal sexual relationships. It is suggested that work involves a broad 'inclusive' definition of rape which is documented below by reference to the 'broken contract'. This refers equally to physical assaults, cheques that bounce, and

the duplicity involved when a client deliberately removes a condom. In contrast, prostitutes' personal relationships involve a more 'exclusive' view which is similar to other common ideas about rape. By 'exclusive', I intend to refer to a naturalistic understanding of sexual violence which is seen in the use or threat of force that will be visible in the body of a victim. Rape is seen or anticipated in the physical marks left after the event. This view 'excludes' (other) 'broken contracts' and may be related to general ideas about sex, which are embraced by prostitutes too in their personal relationships. Sex is often seen precisely as that which is not rational, nor explicitly negotiated. The difficulties of negotiating terms for sex have been amply documented in recent studies of condom use: numerous reports suggest that men and women find it very difficult to discuss the terms of their relationship.¹ Generally, sexual relations are seen to unfold or happen; notions of consensus remain implicit and assumed. Therefore, it may be difficult to attach legalistic notions of consensus retrospectively to a context in which, at the time, they were irrelevant. Since the basis for consensual sex was never explicitly negotiated, its breach must be sought in some incontrovertible evidence; in physical nature; that is, in the body, and in a form that permits no argument.

While the use of the single term to describe sexual violence suggests continuities, this chapter explores these contrasting senses of rape. Rape outside work is constructed differently from rape at work: it is also generally seen to constitute a more extreme violation. A second point of contrast is not explored at length below: rape involving physical violence in whatever context is likewise seen as a worse kind of rape than other forms.

The data in this chapter derive from interviews and conversations with sex workers during a research project on lifestyles and sexually transmitted infections from 1986–91. This research was based largely in a medical setting where a medical service, counselling, and a drop-in centre were also provided.² In what follows, I describe individual episodes and cite verbatim accounts in the manner of much ethnographic writing. I had thought of excluding these examples because they can be seen to confirm common representations of prostitutes as victims and marginals. However, I decided to preserve this detail because it is through such accounts that I reached the conclusions presented and because, hopefully, the examples allow prostitutes to speak for themselves.

DIFFERENT KINDS OF SEX

In order to understand ideas about rape, it is necessary first to elucidate distinctions between various sexual activities. Prostitutes I have met associate certain types of sex with work and others with their personal lives.

London prostitutes constantly reiterate that they are doing business; they are working. These claims suggest that sex can be sold through a process that constitutes legitimate work. At the same time, women distinguish certain sexual activities associated with a public domain of work from others which are not sold and which belong instead to the private domain of women's personal relationships.³ Sex work, like other kinds of work, is demarcated in a complex and variable fashion but, for the purposes of this section, I emphasize the radical separation between different sexual activities. First of all, working sex is almost invariably framed by reference to price, a price that is negotiated by reference to units of time and particular services. Second, work tends to be restricted to a 'workplace', be this a particular street, sauna, or rented flat. Sometimes, women work at home, but they make sure to distinguish the place of work within their home by using separate rooms or beds or even covers. Jean,⁴ for example, marks work through an apparently minor change involving three towels:

My boyfriend hates it. He says he don't want no punter in his bed. *But, it's not my bed.* I have three towels. I put one over the pillow, one over the mattress and there's one for him to wash with. Nobody except for clients ever touches those towels and they're even washed separately.

Third, working sex is almost always distanced further from any personal involvement by means of physical barriers. Condoms are the most important of these barriers but they are frequently combined with lubricants and spermicides, caps, sponges and purely contraceptive devices, namely, the coil (IUD) or pill (OCP). While these barriers are seen to offer protection from sexually transmitted infections and related problems of infertility, they equally create a distance between the self and a stranger. As Jane says:

I don't want strangers' semen inside. I only drop the barrier with someone I really love.

Fourth, the type of sex sold is generally restricted. Some women prefer to sell vaginal sex because 'it requires no effort'. Others prefer to sell oral sex because it is quicker. A few do not sell intercourse⁵ at all. Many women who work in saunas offer only 'hand relief' or masturbation. Others, often working by telephone or privately, refuse all physical contact with their customers to sell fantasies of various kinds. While the restrictions on working activities vary, two very general types of discrimination might be noted. First, the body often has its 'private' and 'public' parts so that the mouth, for example, comes to be aligned with an upper and private part of the body that is kept out of the work process as far as possible. Some women say that they have oral sex with their boyfriends but never at work. Interestingly, this is described as the only type of private sex for a few

women in the study. The back is also private and vulnerable. Some prostitutes report passive anal sex at home but never at work. They say boyfriends can be trusted; clients would hurt you. Second, what is sold is divested of any nurturing qualities. Thus, women will not kiss or cuddle their clients. In this way, penetration at work is distinguished from sexual intimacy in other relationships. This intimacy might be seen in terms of an inner person that is separated from the exterior working body.

Fifth, sexual pleasure is avoided. Women describe arousal with some embarrassment, referring perhaps to that one exception involving the client who became a boyfriend, even a husband.

Sixth, working sex is a non-reproductive sex. Logically, this must be the result of activities that are clothed in latex and which, for some women, exclude vaginal intercourse. However, sex workers frequently describe their personal relationships in terms that suggest reproduction is a natural consequence of sex at home and they draw a contrast with the work process, which must never lead to children.

Working sex is demarcated in further ways. The women I know seem particularly skilled at juggling a variety of personal names together with different looks – wigs, colouring, wardrobes, make-up. Orgasms, personal biographies, likes and dislikes are fabricated just like the detailed fantasies that are so often constructed for sale. Other distinctions include contrasts based on colour and gender. For example, some women describe themselves as lesbians; they have sex with men at work and with women for pleasure.

These are the criteria most commonly used to define work. Sex is priced and circumscribed in place and time. Activities are restricted, protected by latex, and dissociated from pleasure and reproduction. These processes may create such a gulf between working and other types of sex that the former come to be known purely as work and the term sex is reserved for other personal relationships.

Personal sexual activities are contrasted with working practices along all the dimensions I have mentioned. Sex takes place at home, it is rarely restricted to particular parts of the body and physical barriers are avoided. There is no talk of time or money. Sexual pleasure is important and may be associated with a usually potential or future motherhood. Some form of contraception, other than condoms, is often used in private relationships but it is anticipated that sex will eventually lead to reproduction. What happens at home is the opposite of what happens at work and vice versa. These differences do not merely provide points of contrast. All the contrasts described, such as the use of condoms at work but not at home, the absence of oral contact at work and its presence at home, the type of partner seen at work as opposed to private partners and so forth, are ideally

constitutive of two distinct types of sex. This point is illustrated in the following two examples. The first concerns condom use. A woman expressed horror at the thought of using barriers with her boyfriend:

How could I? He would be like a client. It's different for people who don't work [i.e. sell sex].⁶

The second concerns a woman's behaviour from the perspective of one key personal relationship. Anna had separated from her boyfriend and returned to the project after a visit to the USA. She said that she had not been behaving like herself. She had been drinking a lot and, on one occasion, lost her temper and forgot what happened next. She described a number of unprotected sexual contacts on holiday with men who were neither clearly 'clients' nor 'boyfriends'. Her visit to the project suggested that things would change. Anna asked about the risks (in the context, this referred to risks of HIV infection) from oral sex without condoms and then decided once more to insist on condom use for oral sex. It was at this point that we learned of the reappearance of the boyfriend and Anna explained:

Most working girls take to drink or drugs. They haven't got anything to keep themselves for. I've got him.

This comment might be interpreted in relation to Anna's recent experiences. Distance and safety at work have become important once more in relation to Anna's private life, which has just been re-established.

It is beyond the scope of this chapter to describe the difficulties women experience in separating working and personal sexual relationships. Most women, however, worry that private sexual partners may be drawn into the work domain. In particular, an underlying dynamic suggests that women may be paid for sex by customers only to pay their personal partners in turn. Comments suggest that this logic is only explicitly formulated with respect to unsuccessful and past relationships. Thus, one woman describes a past boyfriend:

My pimp had at least three other women. It's like having company [i.e., having a pimp]. While you're on call [from an agency], it's like turning you into a client.

This woman is saying that, in the past, she paid her 'pimp', implicitly, for his company just as clients paid her. This relationship developed through her work – it was boring to be 'on call', to wait for work from an agency at the end of a telephone. Others claim that boyfriends get paid twice when they enjoy sex for free and a living from prostitutes' earnings. Because of these difficulties, a minority of women embrace 'celibacy', at least in the short-term. At times, however, some women point to the positive aspects of

these generally unwelcome continuities between different sexual activities. One woman, for example, described how she won back her boyfriend simply because she was good at sex. Another, who enjoyed role-play in her private life with women, explained how her experiences enabled her to develop a particular working style in domination, which she enjoyed.

These examples illustrate great diversity in the construction of sex work. However, for the purposes of this chapter, I have emphasized the mutual construction of working and private sex through a sense of opposition and contrast. This division shows that sexual activity is not all of one piece. It seems that constantly shifting boundaries are negotiated between those aspects of the sexual which can be alienated from the person and those which remain integral to a sense of self. Ideally, the two types of sex should remain quite distinct although, in practice, this separation is hard to achieve. Ideas about rape are best understood in the context of this emphatic demarcation of sexual activities.

RAPE AND WORK

The broad or inclusive view of rape that I have mentioned, which inheres in the broken contract, can be illustrated initially by contrasting different types of condom failure. The following examples suggest both similarities and differences in women's reactions to accidents, on the one hand, and client duplicity, on the other. Sometimes, physical barriers fail. The condom falls off, it breaks or it leaks. In most accounts, clients' semen is associated with contamination. Women say they wash immediately and repeatedly. Some douche with various mixtures. Most visit the clinic for check-ups. A number report confusion and anxiety. Reactions may be relatively mild or vehement, as shown in the following two accounts:

If the condom breaks, I start swearing and have a quick wash, inside, with the shower. I have a check-up the next day if possible . . .

I saw my . . . regular. The durex was left inside . . . They don't ever leak but this one came off inside. Condoms aren't small enough for [some men], they get lost inside. I had in a sponge and three orthoforms but some spilt. I was so upset. It was horrifying.

The speaker goes on to describe how many times she washed and bathed that day, not just inside but all over and, especially, her hands. This careful hygiene characterizes relations with her boyfriend as well during the next few days.

Alternatively, semen enters the body as clients consciously remove or break condoms. Note:

Last night, I had a twit. There was two hundred on the go for it and the twit doesn't want to wear a condom. I say the usual, 'it's not worth my while', so, in the end, he puts it on. Somehow or other it came off They are crafty. Thing is, you could be doing the business and, you check every so often, but, keeping your hand there, you can't do it. It came off inside. You're tired, all you want to do is get home and then there's this.

Gail was talking about difficult clients. One, she said, refused to have sex with a condom:

I didn't feel able to get up and go because we had been playing around for 20 minutes and I wanted my money – he's rich. So, he promised to withdraw and I was stupid enough to believe him. What happened was that he withdrew as he came. I was very upset and very angry but I couldn't make a fuss, or I felt I couldn't, because I was in a hotel. The only retaliation I had was – later, when he phoned, I simply didn't turn up.

Sometimes women describe condom failure that is caused by clients as rape:

That was the time when one of [them] conveniently lost the condom. He'd obviously just pulled it off – I checked with my hand. I'd just finished my period I washed with soap and water under the hotel tap. I felt like I'd been raped I nearly had to walk out. We argued, because of the condoms.

Reactions to these two types of condom failure are similar in many respects. Women deal with uninvited physical contamination in a number of ways which range from cursory to extensive hygiene and mild annoyance to great anxiety. In both situations, women report washing, douching and other types of cleansing, such as meticulous house cleaning. Some women find it difficult to work. In both situations, the boundaries I have described between two ideally distinct kinds of sexual activity are threatened. Substances associated with work penetrate the person. Often, worries about 'polluting' private sexual partners are reported and condoms may be used at home for several days. Condoms will protect a partner from possible infection. They may also be seen to perform a larger symbolic role, insulating a boyfriend from the work environment and thus re-instituting the differences so important to prostitute women, between private partners and clients, between two kinds of sex. Indeed, my earlier point about the mutual construction of working and personal sex is confirmed further in this context, as things go wrong. It can be seen that the relationship of difference

or contrast is more important than the content of any particular sexual activity. When working sex is not associated with condoms, then private sex is.

However, there is a key difference between the two kinds of condom failure described above. In the latter situation, when clients intentionally cause condom failure, women may say that they have been raped. The use of the term, rape, describes sex to which the woman did not agree. It describes non-consensual sex in contrast to the accidental penetration of substance. It suggests that the conscious infraction of an agreement violates the prostitute's person in a more dramatic way than an unfortunate accident. And it constitutes a protest. The use of the term registers a woman's opposition to the behaviour of her customers and her refusal to accommodate this behaviour in the normal work process.

Rape more commonly describes other kinds of broken contracts at work, namely non-payment. Women who work indoors often accept cheques. A price is agreed, sex takes place, and then the cheque bounces. The client has failed to keep to his agreement and has had sex for free. Alternatively, and equally commonly, a client attempts to change the agreement and, when this fails, he refuses to pay. Rachel comments:

I've been ripped off a couple of times. There's nothing you can do. Last time, I had to walk home at 3.00 in the morning. Normally, if they're people I don't know, I get the money up front. But he had been referred on a personal recommendation. What happens is, they probably weren't going to pay anyway, but they keep asking for sex without [a condom] or whatever, and then they refuse to pay you. It's rape and you can't do anything but walk away. I was really angry, especially, when you've done your work well

The duplicity of clients who remove or break condoms, who introduce new terms to the agreement previously negotiated, and who refuse to pay for services received is central to concepts of rape in sex work. This duplicity describes a form of violence in which an agreement is apparently negotiated and accepted, only to be broken. In the introduction, it was suggested that prostitutes construct an inclusive view of rape at work. Physical violence or the threat of violence is classified together with broken contracts through the use of the one term, rape. Indeed, in some situations, physical violence is no worse than non-payment or other breaches of contract, as shown by the following example. Claire told me how she was locked up by a client and forced to have sex. She initially described this as rape though she described another rape, by an acquaintance outside work, with much more horror. Later, she accommodated the episode to the

business of sex work largely, it seems, because she got her money in the end. While the client was out shopping, she managed to steal his money and jump from the window of the first floor flat.

The above examples suggest the importance of a unitary, inclusive view of rape at work. However, this focus requires certain qualifications. On the whole, as noted in the introduction, prostitutes consider rape with physical violence an especially extreme violation (despite the above example). Client duplicity is countered but it is likewise predictable and expected. Rape, through condom failure or non-payment, might be described as 'rape at a distance'. It is, for example, distanced by time: rape defined through a cheque that bounces is only identified retrospectively. I suggest that prostitutes often use the term rape self-consciously, perhaps even rhetorically, to register a protest that has as much to do with work conditions and social stigma as with violation of their persons. Rapes that include physical assault are generally evaluated differently; they are seen to constitute an immediate and direct attack on a prostitute's sense of self. In this way, the physical nature of the violence may elicit the same response, regardless of the wider context. Thus, distinctions between working and personal sexual relationships may be modified by a second point of contrast, between physical and other forms of violence.

Of course, prostitutes are vulnerable to physical violence. They often describe sex work under the threat or exercise of physical force as well as robberies and muggings. A woman might agree to sex, to one kind of rape, through fear of worse physical violence:

I was told not to take the case to court 'cos they'd make out I was the criminal. They [the police] knew I worked the streets. It was this client I had in a hotel. I got him to wear a contraceptive. He took the kit off and had sex with me two or three times. I didn't fight. Then I escaped . . . and called the police . . .

It is not my intention to minimize the degree of physical violence to which sex workers are exposed. It is perhaps obvious from what has already been said that prostitutes are often unable to enforce the agreements they have made and have little redress against any form of rape. As Rachel said when she was not paid, 'you can't do anything but walk away' (quoted above) and, as the woman says above, 'they'd make out I was the criminal'. However, a focus upon the physical aspects of violence alone distorts the wider context in which different forms of violence are grouped together. This inclusive view of rape is not apparent in prostitutes' descriptions of their personal relationships outside work.

RAPE OUTSIDE WORK

While working sex involves contracts, prostitutes make use of the wider imagery of love, sexual desire and romance in describing their personal relationships. In general, a different view of rape is offered along with this imagery. Most of the information that I have on the rape of prostitutes outside work concerns either past relationships with boyfriends or casual encounters. As shown by the following examples, women report a range of attitudes.

Maureen reported a sex assault in answer to my question. She said that her then boyfriend had raped her in 1983:

I couldn't make a huge fuss because my son was asleep upstairs. Then, he stole my car when I wouldn't go out with him any more. I never got it back. I didn't report any of this. Who would have believed me?

(Maureen had a previous conviction related to her work.)

This account illustrates a typical response: prostitutes cannot complain about rape, no-one would believe them.

Occasionally, this kind of rape is accommodated to work experiences. Karen, for example, told me how she had been raped by an acquaintance, outside work:

'It was a one-off', she said. 'I didn't bring charges because I had seen a rape case going through the courts with a prostitute. She had such a hard time.' Karen then told me that she got over her experience a lot quicker than other people would because, 'when a cheque bounces or whatever, it's the same - it's a rape.'

Karen refers first to general ideas about prostitutes, in order to explain that there would have been no point in taking this case to court, but Karen then explains that the rape was not particularly traumatic because of her previous experiences at work. In other words, she builds upon the continuities between different sexual activities in a positive way.

In other contexts, these continuities are unwelcome. Kay, who is pregnant, says that she wants to live on her own, with her child:

I don't want no man around me. I'm alright but not really because I know what men can do to me and I don't want it to happen to my child . . . I don't care who the father is. I know who the mother is. . . . Don't worry, I'll never hold it against my child. It doesn't bother me - as far as I'm concerned, he hasn't got a father, he'll never have one. He may as well not have one anyway. The way I am, I never stay in relationships too long, so I'd never intend this man to be his father. It wouldn't be like that. I'll say, 'I'm sorry that you haven't got one; you have me and that's

it' . . . He doesn't know anything about it. Do you realize my baby was made in a BMW car? I can tell you a story about how it happened. Big problems, I mean mega-suicidal, and if he knew I was having his child, my life would be finished. I'd never want this man to know I'm having his child. I was with him two years ago and he gave me grief and he made me lose that baby and now he's put one there now. He caught me on the beat, I was working on the beat, and we went out dancing and, by the end of the evening, he said I had to fuck him or he'd smash my face in . . . And, I'm not into having my face smashed in so I've fucked him before, I fucked him again. It was only two minutes, but I never knew it was going to lead to all this.

Interviewer (SD): So, in a way, you were raped?

Kay: Yeah, I was, because it was against my will but, as well, I may as well let it happen as I'd have been beaten up anyway. Hit him, hit me, but there's no point in getting your face smashed in, especially on the beat, because no one cares anyway. So what, I thought. I did it and I got out of the car, but I never knew it was going to lead to all this problem of getting pregnant and that. But, right now, I'm happy that I'm pregnant . . .

Kay had split up with this man, with whom she had become pregnant previously. However, because of her work on the streets, he was able to find her again. Kay does not describe the man as a boyfriend, nor as a client, but simply as a violent man. This time she agreed to sex for fear of worse violence. Once more she becomes pregnant. Kay now seems to invest her sense of self in motherhood instead of a private sexuality. She seems to give up on the idea of a separate private sex life; sexuality as a whole is 'lost' to work.

A final example implicates the boyfriend in work rather differently. He is gradually redefined as a pimp. He comes to be seen as a man closely involved in the business of prostitution, indeed, as a man who makes his living from sex work. Caroline had described a man, S., as her boyfriend but other girls' pimp. Later, during their separation, she saw that he was her pimp too. This final move was prompted by extreme physical violence, including rape. Parts of Caroline's account are presented below, beginning with threats by S., who asks:

'Who the hell do you think you are?' I said, 'I don't think I'm anybody'. And he got this stun gun and he kept hitting me with it and giving me electric shocks. And then he said, 'Oh, sorry, please don't leave me. I need you for the future, I love you' and all this rot. And, I thought, 'Oh, so everything's alright now', you know what I mean. He came back

home on Tuesday. . . . We found out that this girl in Yorkshire, she's got all the money that me and this other girl have earned and given to him. The girl in Yorkshire's got it all. And, if anything happens to him, she gets everything . . . ' Well, after he'd stunned me, you know, with this stun gun thing, he went with me. I said, 'I don't want to go with you', I said, 'cos I was really crying. And he started going with me, and I kept saying, 'No, no, no', and he kept saying 'sshh', like this, 'it's gonna be alright', and he was going with me. And I think it turned him on, you know, that I was so upset and everything. And I felt really sickened by it all, because I was just crying the whole way through. I just couldn't join in. He kept saying, 'Please stop crying, join in' and everything. But, I couldn't, just couldn't. And that was the only time we went with each other while I was up there . . . I told [my friend] that I'm leaving him. The money that I earn from now on, I'm keeping it . . .

This account does not describe a broken contract at work, nor has it much in common with accounts of comparable physical violence at work. Caroline describes an assault on her personal integrity and her moral being.

The examples in this section of rape outside work illustrate a range of attitudes and events in prostitutes' personal lives. None involves reports of prior negotiations about sex and none involves reference to broken contracts. However, some are clearly more upsetting than others and extreme physical violence seems to cause the greatest distress and anger. The first two examples, involving Maureen and Karen, are described at a distance – the rape happened long ago or it involved an acquaintance. But, the second two examples, involving Kay and Caroline, are more immediate and Caroline's account focuses almost exclusively on the attack on her personal integrity through physical violence.

The examples in this section illustrate the contrast between views of rape at work and outside. The last two examples, at least, suggest a narrower definition of rape, involving physical coercion. These examples also illustrate the disabling effects of social stigma upon prostitutes. It has been shown that work involves an impersonal sex, surrounded by a work rationality and calculation. This is sex 'at a distance' which contrasts with an ideal closeness in personal relations. Distance at work is constructed through the contract, the condom, the division and fragmentation of the body and of personal identities captured in a particular name and look. The accidents and violations discussed subsequently threaten to dissolve that distance as semen penetrates the person, wages/profit disappear, and clients break the rules of the market. Minimally, they breach prostitutes' own ideas about appropriate 'occupational health and safety'. More seriously, such problems at work impinge upon a sense of self. In general, rape at work

poses a threat to part of the person, to the working persona, while rape outside work constitutes an immediate and more acute assault on the 'real' person, in which a woman invests her moral and personal integrity, and which is constructed outside work. Accordingly, 'rape at a distance' might be contrasted to rape 'close up'. However, in both contexts, rape threatens the boundaries that are so important between one kind of sexual relationship and another. And, it is in women's personal relationships that these problems are felt most acutely. When prostitutes accommodate personal sexual violence to prostitution, they self-consciously dismantle the boundaries so carefully constructed between ideally different types of sex. In the first two accounts, reference is made to the total silence surrounding the rape of prostitutes. In the third, Kay notes her vulnerability to violence. In the fourth, Caroline comes to see her boyfriend as an unwelcome partner in her business rather than a separate romance.

These reactions should be understood in the context of general attitudes towards prostitution. Common stereotypes suggest that women who sell sex cannot be raped because they have already agreed to give sex away, albeit for money.⁸ Problems associated with the exchange of sexual services for money are part of the generally unsavoury character of prostitution. While prostitutes may construct an alternative view, as I have suggested, this view carries little legitimacy in a wider context that involves police, courts and so forth. As noted above, prostitutes have little redress against rape at work.

Commonly, prostitution describes a type of person rather than a type of work and consent is written into all sexual encounters. And so the same common attitudes apply equally to prostitutes' private lives: women cannot be raped by their boyfriends any more than by their clients for they are typified by the liberal manner in which they give sex away. I suggest that dominant views of prostitution, which imply that prostitutes cannot be raped, hit women hardest in this context. Prostitutes may identify rape in physical violence only to find, once more, that they have no public voice through which to obtain redress. They are, as it were, triply disadvantaged. First, there is the general imagery of intimacy and romance which excludes explicit negotiations in personal sexual encounters. Second, prostitution may be associated with a particular fixity in this imagery owing to the ideal contrast between types of sex, where romance in one context is identified by reference to work rationality in another. Third, in the event of any kind of rape, prostitutes expect, and frequently encounter, negative public attitudes.

In some cases, women then give up on a personal sex life altogether and some, like Kay, try to build an alternative sense of themselves through pregnancy and motherhood. In this way, women may be forced to follow

the majority view of prostitution in a limited sense: private sexual relationships cannot be separated from working sex. Sexuality, as a whole, is lost to work, at least in the short term. Thus, the experience of rape outside work constitutes an acute assault on the moral person. Consequently, women often remain silent about rape in the public arena.

Similar points have been made by others. Walkowitz, for example, writes of the operation of the Contagious Diseases Acts in the late nineteenth century:

At the local level, they [Contagious Diseases Acts] were used to clarify the relationship between the unrespectable and respectable poor, and specifically to force prostitutes to accept their status as public women by destroying their private associations with the poor working-class community.

(Walkowitz 1980: 192)

Streetwalking at night was one thing; being forced to attend examinations during the day . . . was another. . . . The domiciliary visitation by the police and the central location of the examination house made it impossible for a subject woman to keep her private and public worlds apart. This is what destroyed her 'self-respect'.

(*ibid.*: 202)

CONCLUSION

The use of the term 'rape' to describe sexual violence suggests similarities among the different episodes described. In all of them, rape might be said to violate a sense of self. However, it has been suggested that what counts as rape differs in prostitutes' working and personal sexual relationships and rape, in the latter context, violates this sense of self more extensively.

The sale of sexual services involves a working rationality that makes explicit what precisely will take place. Agreements are made for the exchange of particular sexual services for money. It is then relatively clear when agreements have been breached for whatever reason, be it non-payment, non-use of condoms, the attempt to practise particular forms of sex, or the use of physical force.⁹ Broken contracts are labelled rape. Prostitutes might be said to construct an oppositional view, which rejects a distinction between physical and other forms of violence.¹⁰ Sexual encounters at work are framed by a rationality that has much in common with debates about consent in the public and, especially, legal arena. Through appeals to a similar language, prostitutes are able to construct an alternative image of rape: the idiom of the broken contract unites different forms of violence and renders them all equally visible. This visibility has remained

largely internal to the world of sex work.¹¹ My concern, in this chapter, is to show that the conduct of commercial sexual relationships provides a particularly cogent critique of the dominant naturalism. Contracts for sex specify the grounds for consent. This work rationality anticipates potential conflict about what exactly counts as consent, a question at the centre of public debates about rape. Prostitutes are consequently enabled to construct an alternative and broader conceptualization of rape. In sex work, the image of the contract is seen to be as much an objective fact as the physical damage a woman may sustain through rape. The contract rescues an agreement for sex between two consenting adults from the realm of subjective and retrospective points of view.

Outside work, prostitutes' ideas about rape are much closer to the dominant naturalism. The similarities have been related to common ideas about romance and intimacy.¹² Commercial sexual relationships contrast with others. In dogma, at least, most sexual encounters unfold. It may not be clear what is legitimate and what is illegitimate, what is consensual and what is non-consensual. Only afterwards, may partners to the act conclude that this was not what they wanted. From the woman's perspective, which is the topic of this chapter, it may then be clear that she had sex to which she did not agree. Her disagreement may be silenced by the wider imagery of romance, passion, and desire that surrounds sex. For, in this context, it is hard to argue that one thing does not lead to another, that the body does not take over from the conscious will, that foreplay does not 'naturally' culminate in intercourse, that condoms do not impede intimacy. The woman may be left with just one context in which it is clear to herself and to the world at large that she did not agree to the encounter. She may be left with an image of rape characterized by the illegitimate use of physical force that is visible after the event. A woman's damaged body bears witness to a private encounter that went wrong; police, doctors, and lawyers can therefore construct a public argument of rape by reference to 'objective' facts rather than 'subjective' opinion. As noted, prostitutes may be particularly restricted by this process insofar as general assumptions suggest that consent is written into all sexual relationships involving prostitutes.

Thus, prostitutes' inclusive view of rape at work has wider implications. The image of the broken contract in sex work throws light on general ideas about rape. It illuminates a paradoxical situation involving different notions of consent. Public and legal debates imply that parties to sex know what they have agreed. However, widespread attitudes to most sexual encounters imply, to the contrary, that relationships are not anticipated in explicit detail. Lack of consensus is hard to specify for consent is normally implied, assumed or, simply, irrelevant. Disagreements and differing evaluations of the encounter may therefore remain unspoken. It is only in the

limited and demarcated area of illegitimate physical coercion that publicly acceptable definitions of rape can be made to fit, retrospectively, the private and generally insulated domain of sexual encounters.

It has been shown that representations of rape depend upon the context of sexual relationships. Alternative views may be offered by the same person in different situations. In conclusion, the obvious might be emphasized. To label a sexual encounter 'rape' is to resist the violence or, at least, to register an objection. It is important, therefore, to distinguish one account of rape from another: as shown, a prostitute's use of the label, rape, has particular implications for her view of the world and her future behaviour. The use of the term is not a disinterested one; it brings with it different forms of resistance and different views of social order. While the inclusive view of rape remains largely internal to prostitution, it seems to provide, in itself, some means of dealing with sexual violence. The use of the label 'rape' to describe broken contracts of all kinds belongs to a minority view according to which prostitutes assert the legitimacy of their work in the face of general disapproval. It belongs to a discourse in which prostitutes object to the lack of normal safeguards relating to the contracts that are made, personal safety, occupational health, and so forth. When rape in a prostitute's private life is accommodated to work, this discourse provides, at once, a form of resistance and a defensive reaction to social stigma. Working ideology constitutes a means of resisting common stereotypes but only at the cost of identifying sexual activities that are ideally kept apart.

This chapter has attempted an ethnography of sex work in London and described how prostitutes operate two views of rape, which are associated with two different types of sexual activity. This ethnography may illuminate more general issues. It perhaps highlights the way in which the use of the term 'rape' by a survivor constitutes a specific action as well as a linguistic usage. And the explicitly oppositional view of rape at work illuminates a paradoxical situation in other sexual relationships where women agree to apply particular ideas about consent retrospectively to a situation in which they were absent, only to find themselves restricted by this process to identify their lack of consent with physical injury or the threat of injury.

GLOSSARY

| | |
|--------------------|---|
| <i>beat</i> | street area where prostitutes work |
| <i>hand relief</i> | masturbation |
| <i>orthoform</i> | spermicide pessary |
| <i>pimp</i> | a man seen to be making a living from a prostitute's work |
| <i>punter</i> | client |

ACKNOWLEDGEMENTS

With thanks to the women who have participated in the research, to staff in the project and to AVERT and North West Thames Regional Health Authority who have funded the research. I should also like to thank Maria Phylactou and Louise Perrotta who made helpful comments on an earlier draft as well as those who contributed to the 1989 seminar in Oxford.

NOTES

- 1 See, for example, J. Holland *et al.* (1990).
- 2 See Day and Ward (1990) for further details.
- 3 See Day (1990) for a discussion of this point and a more extensive description of the distinctions between sexual activities that are summarized below.
- 4 Personal names are pseudonyms.
- 5 That is, oral, anal or vaginal sex; frequently glossed as penetrative sex in health education literature of the AIDS era.
- 6 In some quotations, I have inserted comments in brackets for the purposes of clarification. An ellipsis . . . represents passages which have been omitted from the quotation.
- 7 Caroline is describing the difference in these relationships. While she and her friend work as prostitutes in London and give their money to S., a third girlfriend in Yorkshire is not working. She is receiving all their earnings, via S. Should S. die, she would be the beneficiary.
- 8 Parallels might be drawn with other common stereotypes that have been challenged, regarding the rape of married women by their husbands. In law, women have found previously that they could not be raped by their husbands, as they had already given themselves away.
- 9 This chapter presents women's perspectives on sex work and on the sale of sex. However, clients also complain about broken contracts, in particular, about money. They worry about being 'ripped off' and, occasionally, complain of theft.
- 10 This rejection has some continuities with other views of rape for many non-prostitutes have 'agreed' to sex for fear of worse violence. Prostitutes and non-prostitutes alike have fought against the assumption that they have to agree to physical injuries in order to prove that they did not consent to sex. However, the more general context of working sex suggests important differences.
- 11 As Peter Gow has suggested, in editing this chapter, the metaphor of visibility involves a number of strands. For prostitutes, it is legitimate and acceptable to describe broken contracts as rape, on the evidence of the woman involved. However, this claim is not legitimate in the more public arena, in court. First, prostitutes are more or less excluded from court. They cannot appear and bear witness to broken contracts. Second, evidence of rape generally involves a specific kind of visibility, concerning evidence in the body rather than in speech. Evidence is to be seen by investigators such as physicians. This seen evidence is apparently 'objective' while that which is heard constitutes a point of view.
- 12 See, for example, Holland and Eisenhart (1990) on US women students' imagery of romance.

BIBLIOGRAPHY

- Clark, L. and Lewis, D. (1977) *Rape: The price of coercive sexuality*, Toronto: Women's Press.
- Day, S. (1990) 'Prostitute Women and the Ideology of Work in London', in Feldman, D. A. (ed.) *AIDS and Culture: the global pandemic*, New York: Praeger, 93-109.
- Day, S. and Ward, H. (1990) 'The Praed Street Project: a cohort of prostitute women in London', in Plant, M. (ed.) *AIDS, Drugs and Prostitution*, London: Routledge, 61-75.
- Holland, D. and Eisenhart, M. (1990) *Educated in Romance: Women, achievement and college culture*, Chicago: University of Chicago Press.
- Holland, J., Ramazanoglu, C., Scott, S., Sharpe, S. and Thomson, R. (1990) *'Don't Die of Ignorance - I Nearly Died of Embarrassment': Condoms in context*, London: Tufnell Press.
- Temkin, J. (1986) 'Women, Rape and Law Reform', in Tomaselli, S. and Porter, R. (eds) *Rape: an historical and social enquiry*, Oxford: Basil Blackwell, 16-40.
- Walkowitz, J. (1980) *Prostitution and Victorian Society: women, class and the state*, Cambridge: Cambridge University Press.